

Review Reply
M/029/004
August 17, 2005

RESPONSE TO REVIEW OF NOTICE OF INTENTION TO COMMENCE LARGE MINING
OPERATIONS July 12, 2005

Round Valley Rock, Inc.
Round Valley Rock Mine
M/029/004

105.2 Please see Map 4

105.3 Cross section lines through the mining area are impossible to calculate given the constant change in mining location and disposal sites. Please refer to Map 4 for sites of reclamation. These reclamation treatments will include reg~~ading~~ading, ripping, replacing soil or subsoil, berming, broadcast seeding or drill seeding, etc to fully satisfy the standards of reclamation set forth by the Division of Oil, Gas, and Mining.

106.5 It is the opinion of Round Valley Rock that the physical and chemical properties of the subsoils and over burden, along with any topsoils, will be suitable to accomplish the revegetation and reclamation goals requested. Through selective seeding choices and the above named reclamation practices the reclamation goals can be met.

106.9 Please refer to Map 4 ³

109.4 An air quality permit is not required under the current conditions of the mine site. Fugitive dust on roads that are not asphalted is controlled by a water truck. There are no measures in place to control fugitive dust from the over burden pile.

110.2 Reclamation treatments will vary according to the soil type, steepness, contour, etc. The treatment practice used will be whatever is required to meet the reclamation standards of the Division of Oil, Gas and Mining.

110.4 Fuel tanks of 500 gallons or less are on site and have been inspected and monitored by MSHA for compliance. Lubrication services and waste oil are contracted out and disposed of by the contractor. Please refer to Map ³4 for location of blasting agents.

110.5 The reclamation and reseeding plan for disturbed areas has been addressed in sections 105.3, 106.5, and 110.2 of this response. If further detail is required, please advise us.

111.1 Proper signage has been posted advising the public of trespass and blasting areas. MSHA monitors and enforces such procedures as required. MSAH also regulates the safety of the mine pertaining to berms, high wall safety, etc.

Joseph S. Rees
President - owner Round Valley Rock Inc.

8-17-05

RECEIVED
AUG 22 2005
DIV. OF OIL, GAS & MINING



State of Utah

Department of
Natural Resources

MICHAEL R. STYLER
Executive Director

Division of
Oil, Gas & Mining

JOHN R. BAZA
Division Director

JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

July 12, 2005

CERTIFIED RETURN RECEIPT
7002 0510 0003 8603 3271

Joseph Scott Rees, President
Round Valley Rock, Inc.
2235 Rees Lane
Morgan, Utah 84050

RECEIVED
AUG 22 2005
DIV. OF OIL, GAS & MINING

Subject: Initial Review of Notice of Intention to Commence Large Mining Operations,
Round Valley Rock, Inc., Round Valley Rock Mine, M/029/004, Morgan
County, Utah

Dear Mr. Rees:

The Division has completed our review of your draft Notice of Intention to Commence Large Mining Operations for the Round Valley Rock Mine, located in Morgan County, Utah, which was received June 7, 2005. The attached comments need to be addressed before tentative approval is granted.

The comments are listed under the applicable Minerals Rule heading; please format your response in a similar fashion. Please address only those items requested in the attached technical review by sending replacement pages of the original mining notice using redline and strikeout text, so we can see what changes have been made. After the notice is determined technically complete and we are prepared to issue final approval, we will ask that you send us two clean copies of the complete and corrected plan. Upon final approval of the permit, we will return one copy stamped "approved" for your records. Please provide a response to this review by August 31, 2005.

The Division will suspend further review of the Round Valley Rock Mine Notice of Intention until your response to this letter is received. If you have any questions in this regard please contact Lynn Kunzler or me. If you wish to arrange a meeting to discuss this review, please contact us at your earliest convenience. Thank you for your cooperation in completing this permitting action.

Sincerely,

Susan M. White

Susan M. White
Mining Program Coordinator
Minerals Regulatory Program

SMW:lkjb

Attachment: Review

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REVIEW OF NOTICE OF INTENTION TO COMMENCE LARGE MINING OPERATIONS

**Round Valley Rock, Inc.
Round Valley Rock Mine**

**M/029/004
July 12, 2005**

R647-4-105 - Maps, Drawings & Photographs

105.2 *Surface Facilities Map*

Please show the location of explosive magazines and storage areas. (DJ)

105.3 *Drawings or Cross Sections (slopes, roads, pads, etc.)*

A minimum of two cross-sections through the mine area should be included in the plan showing the surface before mining, after mining and after reclamation. (DJ)

Map 3 & 3A included in the plan are identified, as the reclamation treatments maps do not show the required information. The map should show areas of the site with the various reclamation treatments shaded, cross-hatched or color coded to identify which reclamation treatments will be applied. Areas should include: roads, proposed drainage improvements or reconstruction, and sediment control structures, topsoil storage areas, waste dumps, disposal areas for overburden. Reclamation treatments may include ripping, regrading, replacing soil, fertilizing, mulching, broadcast seeding, drill seeding and hydroseeding. (DJ)

The plan states topsoil sites are indicated on Map 2. There are no topsoil pile locations shown on this map. Please show these locations. (DJ)

The plan states that all other areas that are or will be disturbed including roads, highwalls, etc will be treated in such a way as to maximize revegetation so as to protect against soil erosion and wastewater contamination. Please state in the plan what these treatments will be for each of these areas. (DJ)

R647-4-106 - Operation Plan

106.5 *Existing Soil Types*

Soils data provided in the NOI show limited soil resources available for salvage. Physical and Chemical properties of the soils show that what is available would be suitable for reclamation with minimal amendments required. A variance was requested and approved for the original 5-acre small mine for not salvaging soil. Other overburden materials appear to be suitable for reclamation with minimal amendments being added (composted manure at a rate of 10 ton per acre would suffice). A request was made to extend the approved soil salvaging variance to the large mine area. Refer to comments under R647-4-112. (LK)

106.9 Location & size of ore, waste, tailings, ponds

This section refers back to section 106.2 and maps 3 & 3A for location and size of ore and waste stockpiles. There is no mention of the waste piles in section 106.2 and the location of the overburden piles is shown on maps 2 & 2A. Please correct this oversight. (DJ)

R647-4-107 - Operation Practices

107.5 Suitable soils removed & stored

See comments under R647-4-112. (LK)

R647-4-109 - Impact Assessment

109.4 Slope stability, erosion control, air quality, safety

Has an air quality permit been issued by the State Dept. of Environmental Quality? If so, please provide the permit number. Please describe measures to control fugitive dust on roads, stockpiles, etc. (LK)

R647-4-110 - Reclamation Plan

110.2 Roads, highwalls, slopes, drainages, pits, etc., reclaimed

Please indicate in the plan what the treatments will be for the pit access roads and internal roads that may be constructed during the mining of the initial 19 acres of mining. (DJ)

Slope reclamation will be accomplished by grading to a three to one slope followed by a number of practices including: contour ripping, pitting, top soil replacement (where possible) and reseeded. Will all of these practices be used after the slopes are recontoured? (DJ)

110.4 Description or treatment/disposition of deleterious or acid forming material

The plan does not state whether there will be equipment fuel and lubrication items stored at the site. Please indicate if these items will be stored at the site. (DJ)

Drilling for blasting will be taking place at the site. Please state whether blasting agents will be stored at the site. If they are to be stored in the area, please mark the location on the maps included with the plan. (DJ)

110.5 Revegetation planting program

Please provide a plan for revegetating disturbed areas. This plan needs to discuss seedbed preparation, seeding (species, rates, method of seeding, timing (October preferred seeding time), and amendments needed (overburden materials will need approximately 10 ton per acre of composted manure). Attached is a recommended seed mix. If acceptable, please incorporate it into your mine plan. (LK)

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July 12, 2005

R647-4-111 - Reclamation Practices

111.1 Public safety & welfare

1.14 Posting warning signs

A sign indicating the blasting protocol used at the site should be posted at the entrance to the pit. (DJ)

1.15 Constructing berms/fences above highwalls

Berms or fences should be constructed above the highwalls to warn the public of the dangers. (DJ)

R647-4-112 - Variance

A variance was requested for salvage of and redistribution of existing soils. Justification for this variance is the limited amount of soils available and safety concerns to salvage these soils due to steep terrain coupled with rocky outcroppings and ledges. By using overburden materials amended with composted manure, it is expected that the reclamation standards will be met. This variance may be approved with a commitment to amend the overburden materials with 10 ton per acre of composted manure to assure revegetation establishment. (LK)

R647-4-113 - Surety

Please provide an estimation of the average height and size of the two overburden dumps at the completion of this plan. (DJ)

Attachment: Seedmix

Rule R647-4-105 Maps, Drawings & Photographs

105.1 - Base Map - Map # 1 & 1A

- A. Ownership - See map 1 & 1A
- B. There is no; nor has been observed in the past 50 years, any streams or springs within 500 feet of any of the proposed mining activity.
There are no building, landing strips, electrical transmission lines, water wells, oil or gas pipelines, wells, boreholes, or any subsurface facilities within 500 feet of any proposed mining activities.
- C. See map 1
- D. See map 1
- E. See map 1

105.2 - Surface Facilities Map - Map # 2 & 2A

- A. There are no proposed surface facilities, no buildings, stationary equipment, power lines, or utilities.
Over burden and topsoil sites are indicated on map 2.
- B. See map 2 & 2A
- C. There are no test boring, pits, or core holes.

105.3 - Reclamation Treatment - Map # 3

- A. Please note map 3 for areas of reclamation and corresponding reclamation treatments.

A variance was granted initially for stockpiling of topsoil and subsequent reclamation use. An assessment made by Division of Oil, Gas, and Mining personnel indicated the steepness of the terrain and the absence or scarcity of topsoil prevented any appreciable amount of topsoil from being stockpiled in a safe manner. The safety risks presented to gather topsoil did not justify its meager collection.

However Round Valley Rock is fully aware of the importance of saving any topsoil for reclamation and will make every effort possible to reclaim even small amounts of acceptable materials.

All overburden areas will be graded and reseeded with plant species recommended by the Farm Service Agency, Division of Wildlife Resources

and other Range Management professionals familiar with this area, and the soil types present.

Reseeding procedures will be based upon the recommendation of said professionals.

All other areas that are or will be disturbed including roads, high walls, ect. will be treated in such a way as to maximized revegation so as to protect against soil erosion and wastewater contamination.

Whereas this mine operation may continue indefinitely into the future - some areas, such as high walls, loading areas, ect. Cannot be identified on a permanent basis and subsequent reclamation plans will be ongoing.

106.1 - Limestone

106.2 - Type of Operation Conducted

This mining operation consists primarily of drilling, blasting, and loading limestone to be delivered to a cement plant seven miles away. Conventional blasting practices are employed which are overseen by the Federal Bureau of Alcohol, Tobacco, and Firearms. Loading procedures involve a bulldozer pushing the shot material to a location where an excavator loads the material into trucks to be transported to the above mentioned cement plant. All mining operations are conducted under the watchful eye of the Federal Mine Safety and Health Administration, and do not involve any permanent structures or processing equipment.

106.5 - Existing soil types, location of plant growth material.

Please refer to the *Soils Inventory Report & Maps 1, 2, & 3* for the description and location of the soil types.

106.6 - Plan for protecting and redepositing existing soils

Please refer to the variance request section of this application.

106.7 - Existing vegetative communities to establish revegetation success.

(Some of the following information is found in the Soil Survey of Morgan County. Published by United States Department of Agriculture Soil Conservation Service and Forest Service, in cooperation with Utah Agricultural Experiment Station.)

55% of the proposed mining area consists of soil type AaG. (Agassiz - rock outcrop complex, 40 to 70 percent slopes) The Rock outcrop interspersed throughout the complex consists of bare fractured limestone on very steep mountainsides and canyon walls. It is more that 90 percent

barren, but pockets and cracks in the bedrock support small amount of blowback wheatgrass, mutton grass, and Curl leaf Mountain mahogany.

39% of the proposed mining area consists of soil type DeG (Durfee stoney loam 30 to 70 percent slopes). This Durfee soil is very deep and well drained. It occurs mainly of east-, south- and west-facing mountainsides. This soil formed in materials weathered from sandstone and quartzite. Vegetation is dominantly blue bunch wheatgrass, birch leaf mountain mahogany, mutton grass, Nevada balsamroot, antelope bitterbrush, and Gambel oak. Steep slopes and concentration of rock fragments limit the potential use of this soil.

5 % of the proposed mining area consists of soil type HeG. (Henefer loam, 40 to 60 percent slopes). Vegetation is Gambel oak, blue bunch wheatgrass, big tooth maple, mountain snowberry, serviceberry, Utah snowberry, and some basin wild rye, mutton grass, antelope bitterbrush, and big sagebrush. When changes occur in the composition of potential vegetation due to use by livestock or wildlife or other disturbances, certain plants increase and others decrease. Range seeding is advisable if the plant composition shows severe deterioration. Grasses suitable for seeding include smooth brome, Regar brome, mountain brome, slender wheatgrass, orchard grass, and Garrison meadow foxtail. The very steep slopes and relative inaccessibility of this soil are features that limit its use. This soil has potential for supporting plants that provide food and cover for mule deer, primarily during the fall, winter, and spring. It also is potential habitat for sage grouse, chukar, sharp-tailed grouse, cottontail and jackrabbit, porcupine, red fox coyote, bobcat weasel, and badger.

106.8 - Depth to groundwater, overburden material & geologic setting

There is no ground water present at this mine site.

106.9 - Location and size of ore and waste stockpiles, tailings and treatment ponds, and discharges.

Please refer to section 106.2 and maps 3 & 3A.

IV. R647-4-107 - Operation Practices

To minimize hazards to public safety all mining operation will be under the authority and in accordance with MSHA regulations. All measures to minimize sediment and erosion for the restoration of natural drainage channels will be performed under the supervision and direction of the Morgan County Soil Conservation District and its parent agency the Farm Service Agency.

V. Rule R647-108 - Hole Plugging Requirements

There have been no abandoned drill holes nor will be.

VI. Rule R647 - 109 - Impact Statement

109.1 - Surface and groundwater systems

To the present there has not been found any groundwater or run off at this mining operation.

109.2 - Wildlife habitat and endangered species

The only measurable impact to wildlife in the area of the mining operation appears to be a loss of habitat area. Big game continues to habitat this mining area. Riparian and wetland areas are not present consequently the wildlife species associated therein are unaffected. The only endangered species found in the area is the Bald Eagle. The Eagle only appears during the late winter months. These birds reside almost entirely on the Weber River, about one mile away. This mining operation displays minimal impact on this bird and its habitat.

109.3 - Existing soil and plant resources

Please refer to section 106.7 of this application.

109.4 - Slope stability, erosion control, air quality, public health & safety

Please refer to previous sections of this application.

VII. Rule R647 - 4 - 4710 - Reclamation Plan

110.2 - Reclamation of roads, high walls, slopes, leach pads, dumps, ect.

All roads created by this mining operation shall be reclaimed by a combination of various practices depending upon the slope, width, and surface material of the road. Practices may include but are not limited to grading, ripping, run off berms, topsoil replacement, reseeding, ect.

High wall reclamation: Please refer to variance section of this application.

Slope reclamation shall be accomplished by grading to a three to one slope configuration followed by a number of practices including; contour ripping,

pitting, where possible top soil replacement and eventual reseeded.

All natural drainages shall be restored to its previous channel and constructed in such a manner so as to minimize erosion and sedimentation downstream.

110.3 - Surface facilities to be left

There are no surface facilities to be left.

110.4 - Treatment, location and disposition of deleterious materials

The operation of this mine does not create any deleterious materials to be disposed of.

110.5 - Revegetation planting program and topsoil redistribution.

Please refer to earlier sections where this has been addressed.

VIII. - Rule R647 - 4 - 112 Variance

Round Valley Rock Inc. hereby requests the following variances.

106.6 - Plan for protecting and re-depositing existing soils.

The severe steepness of the terrain coupled with the rocky outcroppings and ledges provide virtually no topsoil that could be safely collected and stored for reclamation. The safety concerns in gathering the topsoil would out weigh the value of the small quantities that may be collected. However Round Valley Rock will endeavor to collect and save any materials suitable for reclamation to be used later.

110.2 - Reclamation of High walls

Round Valley Rock hereby requests a variance for the reclamation of high walls. Prior to beginning mining operations the mine site contained several high walls in excess of 60 feet. These preexisting conditions will be difficult to restore to a safe and stable state. We request that restoration of subsequent future high walls be accomplished in a manner of benches or blasting so as to create a one to one slope utilizing benches that will be more safe and stable. These benches would be created under the design and approval of MSHA so as to provide minimal safety risks and long-term slope stability.

IX. Rule R647 - 4 - 113 - Surety

Please find enclosed the reclamation bond and Permit Fee as requested.